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25 *SAFEWAY INC.*

26 UNITED STATES DISTRICT COURT  
27  
28 NORTHERN DISTRICT OF CALIFORNIA

29 MICHAEL RODMAN, on behalf of himself  
30 and all others similarly situated,

31 Plaintiff,

32 v.

33 SAFEWAY INC.,

34 Defendant.

Case No. 3:11-CV-03003 JST (JCS)

**JOINT CASE MANAGEMENT REPORT**

**Date: February 24, 2016**

**Time: 2:00 PM**

**Courtroom: 9 – 19th Floor**

The Honorable Jon S. Tigar

1 Plaintiff, Michael Rodman (“Plaintiff”) and Defendant, Safeway Inc.  
2 (“Safeway”) submit this Status Report to provide an update on three issues currently  
3 pending before this Court, which are: the bill of costs; a proposed interim notice to  
4 Class Members of entry of the judgment; and a briefing schedule for Plaintiff’s  
5 anticipated motion for discovery sanctions. The parties are filing concurrently  
6 herewith two stipulations that, subject to Court approval, resolve the issues  
7 concerning the bill of costs and the proposed interim notice. The parties have also  
8 agreed to a briefing schedule for Plaintiff’s motion for sanctions, which is set forth  
9 below. As such, the parties believe the Case Management Conference currently  
10 scheduled for February 24, 2016 can be taken off calendar. Alternatively, Plaintiff  
11 will file herewith a request to appear telephonically.

12  
13 **A. Bill of Costs**

14 The parties have reached agreement on a stipulated amount of \$95,000.00 for  
15 Plaintiff’s Bill of Costs incurred through the date of the approximately \$41.9 million  
16 judgment. The parties are submitting a stipulation to that effect today.

17  
18 **B. Notice of Entry of Judgment to Class Members**

19 The parties have agreed to send a notice to class members to provide them  
20 with an update on the status of the case, and also reminding Class members that they  
21 should contact Class counsel in the event that their address or contact information  
22 changes prior to resolution of the litigation. The parties have agreed on the content  
23 of the notice and manner of distribution, and are submitting a stipulation and  
24 proposed order seeking approval today.

**C. Plaintiff's Motion for Sanctions**

The parties have engaged in meet and confer discussions regarding Plaintiff's anticipated motion for discovery sanctions but have been unable to reach any agreement that obviates the need to file the motion. The parties propose the following briefing schedule:

March 16, 2016 – Deadline for Plaintiff to file motion for sanctions

April 13, 2016 – Deadline for Defendant to respond

May 4, 2016 – Plaintiff's Reply

May 19, 2016 (or such other date as the Court may choose) –  
Hearing on Plaintiff's motion for sanctions

A proposed order setting the above schedule is attached hereto.

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MICHAEL RODMAN and the Class

**PROPOSED ORDER**

The Court sets the following deadline for Plaintiff's anticipated Motion for Discovery Sanctions:

March 16, 2016	Deadline for Plaintiff to file motion for sanctions
April 13, 2016	Deadline for Defendant to respond
May 4, 2016	Plaintiff's Reply

\*\*\*\*\*Oc{ '48.'4238      "'Hearing on Plaintiff's motion for sanctions

IT IS SO ORDERED.

Date: February 3: , 2016

